APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.
08/943,356	10/01/97	CHARI	S	MNFRAME.033A

	EXAMINER
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ART UNIT	PAPER NUMBER
2154	30

DATE MAILED:

07/17/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

	Application No.	Applicant(s)
Office Action Summary	08/943,356	CHARI ET AL.
	Examiner	**Art Unit**
	Saleh Najjar	2154

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _02 May 2001_ .

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-38_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-38_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved. ·

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
           application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☐ Notice of References Cited (PTO-892)

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _29_ .

18) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other: ·

1.   This action is responsive to the amendment filed on May 2, 2001. Claims 11,

and 20-22 were amended. Claims 1-38 are pending examination. Claims 1-38

represent an apparatus directed toward managing computer system alerts.

2.   The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington,* 418 F.2d 528, 163 USPQ 644 (CCPA 1969).
    A timely filed terminal disclaimer in compliance with 37 CAR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CAR 1.130(b).
    Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CAR 3.73(b).

    Claims 1-38 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-25 of copending Application No. 08/942,005.
    This is a provisional obviousness-type double patenting rejection.

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CAR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

4.   Claims 1-3, 5-9, 11-18, 20-27, and 33-38 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Dev et al., U.S. Patent No. 5,751,933 in view of Wheel et al.,

WO 95/09387.

Dev teaches the invention substantially as claimed including a system for determining the status of entities in a computer network (see abstract).

As to claim 1, Dev teaches a method of monitoring alerts regarding the status of components in a computer, comprising the acts of:

displaying a plurality of alert types to a user in a graphic display, each of said alert types corresponding to a status of components in the computer (see figs. 1-4; col. 7, lines 25-30, Dev discloses receiving significant events of various types from network devices at the virtual network machine).

receiving a plurality of unfiltered alerts, each of said alerts corresponding to an alert type (see figs. 1-4; col. 7, lines 25-30, Dev discloses receiving significant events from network devices at the virtual network machine);

recording said status information associated with said in a storage medium (see col. 8-10, Dev discloses that the events for network alarms are recorded in memory).

Dev fails to teach the claimed limitation of "allowing the user to selectively disable or enable a future display of one or more of said alerts to the user by selecting and deselecting a corresponding alert type in said graphic display).

However, Wheel teaches a management console for monitoring alerts from different process control computers having a graphical display of indicators of the status of the selected parameters (see fig. 1; pages 6-7). Wheel teaches the claimed limitation wherein the user enables or disables future display of alerts by selecting or deselecting a corresponding alert type in said graphic display (see figs. 1-4, 25-26; pages 17, 25, 48-50, Wheel teaches a management console having a display 28, the display 28 having a un-acknowledged alert window 46, and active alarms window 48 which lists all acknowledged and un-acknowledged alarms. The operator may manipulate the interface screen display so that alarms in un-acknowledged alert window 46 are not displayed there and are moved automatically to active alarms window 48 which can be obfuscated or iconized and rendered undisplayable).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Dev in view of the management console as taught by Wheel so that alarms are acknowledged and their notification status is enabled/disabled by graphic screen manipulations to allow the operator to effectively manage computer alarms. One would be motivated to do so to prevent sensory overload on the human operator responsible for control of the management console.

As per claim 2, Dev teaches a method of monitoring alerts regarding the status of components in a computer as in claim 1 above, including storing whether each of said alerts is disabled or enabled to be displayed to the user in a plurality of variables (see col. 8, Dev discloses that a filtering criteria can be utilized by the user to adjust the threshold of the severity of the event condition so that the event is not displayed).

As to claim 3, Dev teaches a method of monitoring alerts regarding the status of components in a computer, including storing information about said disabled alerts "events" in said storage medium at a user computer (see col. 8, Dev discloses that all events are logged).

As to claim 5, Dev teaches a method of monitoring alerts regarding the status of components in a computer, including, generating a user interface which allows a user to select one or more of said alerts to be displayed to the user by providing a description of said alerts (see fig. 10; col. 14-15, Dev discloses a user graphical interface which allows a user to display different views showing status information).

As to claims 6-7, and 33, Dev teaches a method of monitoring alerts regarding the status of components in a computer as in the claims above, wherein said user interface enables said selected alerts to be displayed to the user in response to an enable command by the user, or disable said selected alerts from being displayed to the user in response to a disable command by the user (see col. 8, Dev discloses that a user may specify different filtering techniques to specify minimum event severity for which events may be displayed).

As to claims 8-9, Dev teaches a method of monitoring alerts regarding the status of components in a computer as in the claims above, further including displaying said

enabled alerts notification window to the user and displaying the name of a component associated with one of said alerts (see figs. 9-10).

As to claim 11, Dev teaches a method of monitoring the operational status of components in a computer comprising the acts of:

generating a notification about the status of at least one component in the computer, said notification comprising a first code which contains data about said component, said first code having a first data length, and receiving said notification unfiltered at a remote computer (see figs. 1-4; col. 7, lines 25-30, Dev discloses receiving significant events from network devices at the virtual network machine); and

transforming said notification into an automatically displayed user-friendly display message comprising a second data length, wherein said second data length is ⟍ significantly greater than said first data length (see figs. 7-11; col. 13-16, Dev discloses that the user is presented with a detailed topological view of components of the computer being monitored in a network).

Dev fails to teach the claimed limitation of allowing the user to selectively disable or enable a future display of said notification by selecting or deselecting a corresponding notification type in a graphic display.

However, Wheel teaches a management console for monitoring alerts from different process control computers having a graphical display of indicators of the status of the selected parameters (see fig. 1; pages 6-7). Wheel teaches the claimed limitation wherein the user enables or disables future display of alerts by selecting or deselecting a corresponding alert type in said graphic display (see figs. 1-4, 25-26; pages 17, 25, 48-50, Wheel teaches a management console having a display 28, the display 28 having a un-acknowledged alert window 46, and active alarms window 48 which lists all acknowledged and un-acknowledged alarms. The operator may manipulate the interface screen display so that alarms in un-acknowledged alert window 46 are not displayed there and are moved automatically to active alarms window 48 which can be obfuscated or iconized and rendered undisplayable).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Dev in view of the management console as taught by Wheel so that alarms are acknowledged and their notification status is enabled/disabled by graphic screen manipulations to allow the operator to effectively manage computer alarms. One would be motivated to do so to prevent sensory overload on the human operator responsible for control of the management console.

As per claim 12, Dev teaches a method of monitoring the operational status of components in a computer as in claim 11 above, including the act of sending said notification on a network to said computer (see col. 8-12).

As to claim 13, Dev teaches a method of monitoring the operational status of components in a computer as in claim 12 above where in the act of sending involves an SNMP transaction (see col. 4).

As to claims 14-17, Dev teaches the claimed limitation wherein said first code contains an index; wherein said status module uses said index to identify said user-friendly display message; wherein said index is predefined by a management information base; wherein said management information associates information about said component with said index; wherein said status module uses said information about said component from said management information base to generate said user-friendly display message (see figs. 1-10; col. 4-6; Dev discloses that different network devices are represented by virtual software models at the management console and events received by the management console are correlated with the virtual model to display the notification and description of events regarding network devices).

As to claim 18, Dev teaches a method of monitoring alerts regarding the status of components in a computer as in the claims above, including displaying a description of said notification (see fig. 10).

As to claim 20, Dev teaches a method for monitoring the operational status of components in a computer comprising the acts of:

providing a management information base which is configured to associate a

plurality of indexes with different operational parameters related to said components
(see figs. 1-10; col. 4-7, Dev discloses that the network devices are represented by
virtual software models at the management console and event conditions received from
the network devices are correlated to the virtual models in the management console).

Generating at least one alert, said alert providing information about a change in
an operational parameter in at least one component, said alert comprising one index of
said indexes which identifies at least one of said operational parameters (see figs. 1-
10; col. 4-7, Dev discloses that the network devices are represented by virtual software
models at the management console and event conditions received from the network
devices are correlated to the virtual models in the management console).

Receiving said alert unfiltered from the computer; and transforming said index
into an automatically displayed user friendly display message (see figs. 7-10; col. 4-8,
Dev discloses that alarm events are received and correlated to the virtual model
representing the network devices and displayed to the user using different view
options).

Dev fails to teach the claimed limitation of "allowing a user to selectively disable
or enable a future display of said alert by selecting or deselecting a corresponding alert
type in a graphic display".

However, Wheel teaches a management console for monitoring alerts from
different process control computers having a graphical display of indicators of the
status of the selected parameters (see fig. 1; pages 6-7). Wheel teaches the claimed
limitation wherein the user enables or disables future display of alerts by selecting or
deselecting a corresponding alert type in said graphic display (see figs. 1-4, 25-26;
pages 17, 25, 48-50, Wheel teaches a management console having a display 28, the
display 28 having a un-acknowledged alert window 46, and active alarms window 48
which lists all acknowledged and un-acknowledged alarms. The operator may
manipulate the interface screen display so that alarms in un-acknowledged alert
window 46 are not displayed there and are moved automatically to active alarms

window 48 which can be obfuscated or iconized and rendered undisplayable).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Dev in view of the management console as taught by Wheel so that alarms are acknowledged and their notification status is enabled/disabled by graphic screen manipulations to allow the operator to effectively manage computer alarms. One would be motivated to do so to prevent sensory overload on the human operator responsible for control of the management console.

As to claims 21-22, Dev teaches a method for monitoring the operational status of components in a computer as in the claim above wherein said index is a variable in said management information base, and wherein said variable is compatible with SNMP (see col. 4).

Claims 23-27, and 34-38 do not teach or define any new limitations above claims 1-3, 5-9, 11-18, and 20-22 and therefore are rejected for similar reasons.

5.   Claims 4, 10, 19, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dev in view of Wheel, further in view of Bonnell et al., U.S. Patent No. 5,655,081.

As to claims 4, 10, 19, and 32, Dev does not explicitly teach the claimed limitation of storing at a user computer a recommended course of action associated with one of said alerts, and displaying a recommended course of action associated with said alerts to the user .

However, Bonnell teaches a system for monitoring a computer network (see fig. 13; col. 2, and 9, Bonnell discloses a set event manager 52 and event cache 212 responsible for keeping records of various occurrences throughout the computer network, such as occurrence of alarm conditions and their resolution).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Dev by storing at the user computer recommended resolution of alarm conditions so that alarm conditions are resolved immediately. One would be

motivated to do so to allow for management convenience.

6.   Claims 28-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dev in view of Wheel, further in view of Giorgio, U.S. Patent No. 5,761,085.

As per claims 28-31 the rejection of claims 1-27 is fully applied herein. Further, Dev does not explicitly teach the claimed limitation wherein one of said alerts relates to the status of a fan, a temperature sensor, a power supply, or a fault isolation unit.

However, Giorgio teaches a method for monitoring various parameters such as a fan, a temperature sensor, a power supply, or a fault isolation unit for equipment at network sites (see figs. 1-2; col. 4-6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Dev in view of Giorgio so that various parameters such as a fan, a temperature sensor, a power supply, or a fault isolation unit are monitored. One would be motivated to do so to optimize the working parameters of a network node.

7.   Applicant's arguments with respect to claims 1-38 have been considered but are moot in view of the new ground(s) of rejection.

8.   a shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the applicant (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saleh Najjar whose telephone number is (703) 308-7613. The examiner can normally be reached on Monday-Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, AN MENG AI, can be reached on (703) 305-9678. The fax phone number for this Group is (703) 308-9052.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Saleh Najjar

Examiner Art Unit 2154